



PATENT
ATTORNEY DOCKET NO.: 051252-5116

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Perry Robert CZIMMEK

U.S. Application No.: 09/813,912

Filed: March 22, 2001

For: METHOD OF CONTROL FOR A SELF-
SENSING MAGNETOSTRICTIVE ACTUATOR

Group Art Unit: 2832

Examiner: Unknown

Commissioner for Patents
Washington, D.C. 20231

Sir:

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the document listed on the attached PTO-1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicant does not believe that a fee is due for filing this paper.

Copies of the listed documents are attached. Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "Prior Art". If it should be determined that the listed documents do not constitute "Prior Art" under United States law, Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

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Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: 

Scott J. Anchell
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Dated: 13 May 2002

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